

## REMARKS

### **1. *Informalities***

Examiner Interview. Applicant would like to thank the Examiner for agreeing to an after final interview, which interview was held via telephone conference on February 2, 2006. During this interview, various amendments to the claims were proposed by applicant. Namely, applicant proposed to amend the claims to recite language indicating that the flexing crank handle is configured to automatically return to a resting position after being flexed in response to a load. The Examiner accepted this proposed amendment and also suggested that the claim also be amended to include language indicating that the flexing crank handle is able to automatically return to its resting position without the need for manual manipulation. Applicant appreciates the suggestions provided by the Examiner and has amended the claims of the application to include this suggested language.

### **2. *Claim Rejections -- 35 U.S.C. § 112***

Claims 1-33 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claims 1, 21, and 33 are rejected for reciting that the flexing crank handle is “configured to displace and flex in any direction...,” which the Examiner states is indefinite because applicant is trying to cite that the handle is able to move in two separate directions, displace and flex.”

In response, applicant has amended claims 1, 21, and 33 to recite that the flexing crank handle is configured to “displace by flex...,” as suggested by the Examiner. Applicant has also deleted the phrase, “in any direction...” from the independent claims.

Applicant submits that claims 1-33 are now definite in nature, and therefore, requests that the rejection under 35 U.S.C. § 112 should be withdrawn.

### **3. *Claim Rejections -- 35 U.S.C. § 103***

Claims 1-4, 7-19, 21-23, 25-27 and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Application No. 5,782,442 to Kwak, et al. (hereinafter referred to as “Kwak”). Applicant appreciates the concerns raised by the Examiner, but respectfully submits that in light of the amendment to the claims as set

forth above and the arguments presented below, Kwak does not render the claims of the present invention obvious.

In response, and in light of the interview with the Examiner, applicant has amended claim 1 to recite that the flexing crank handle displaces by flex and that it is configured to automatically return to a resting position without the need for manual manipulation. As such, applicant submits that Kwak does not render obvious independent claims 1 and 21 of the present invention as such is not taught or suggested in Kwak.

Dependent claims 2-4, 7-19, 22-23, 25-27, and 30-32 place further limitations on what is otherwise arguable subject matter in independent claims 1 and 21, and therefore, applicant submits that these claims are also not rendered obvious by Kwak, but instead are in a condition for allowance.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kwak, et al. in view of US Patent Application Publication # 2002/0074443 to Murdock, et al. (hereinafter referred to as "Murdock"). In response, applicant submits that claim 20 places further limitations on what is otherwise argued allowable subject matter as found in independent base claim 1. Therefore, Applicant respectfully submits claim 20 is not rendered obvious and that it also stands in a condition for allowance.

Claim 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kwak, et al. In response, applicant has also amended claim 33 to recite that the flexing crank handle displaces by flex and that it is configured to automatically return to a resting position without the need for manual manipulation. As such, applicant submits that Kwak does not teach or suggest the invention recited in claim 33, as amended, and that claim 33 is not rendered obvious by Kwak.

Based on the foregoing, Applicant respectfully requests that the claims of the application be reconsidered and that the rejections under § 103 be withdrawn.

CONCLUSION

Applicant respectfully submits that the deficiencies in the application have been corrected and that the proposed claims are not rendered obvious by the prior art references cited by the Examiner. As such, Applicant believes that the claims are now in a condition for allowance, and action to that end is respectfully requested.

If any impediments to the allowance of this application for patent remain after the above amendments and remarks are entered, the Examiner is invited to initiate a telephone conference with the undersigned attorney of record.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 9<sup>th</sup> day of February, 2006.

Respectfully submitted,

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